

FINAL BILL REPORT

SB 5102

C 245 L 13
Synopsis as Enacted

Brief Description: Concerning veterinarian immunity from liability when reporting suspected animal cruelty.

Sponsors: Senators Pearson, Darneille, Padden, Kohl-Welles and Conway.

Senate Committee on Law & Justice
House Committee on Judiciary

Background: The state's laws for the prevention of cruelty to animals prohibits certain practices and activities involving animals. Animal cruelty in the first degree involves inflicting substantial pain on, causing physical injury to, or killing an animal by a means that causes undue suffering. Animal cruelty in the first degree is a class C felony.

Animal cruelty in the second degree is committed when a person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal. An owner may commit this crime by failing to provide necessary food, water, shelter, rest, or medical attention, or by abandoning the animal. Animal cruelty in the second degree is a gross misdemeanor.

The animal cruelty law contains a number of exemptions, including licensed research institutions; accepted husbandry practices in the commercial raising or slaughtering of livestock; the customary use of animals in rodeos or fairs; the killing of animals for food; and practices authorized under the game laws.

Immunity from liability means a person is free or exempt from a civil or legal penalty or burden.

Summary: A lawfully licensed veterinarian who reports, in good faith and in the normal course of business, a suspected incident of animal cruelty to the proper authorities is immune from liability in any civil or criminal action brought against the veterinarian for reporting the suspected incident.

A veterinarian's immunity is limited to situations where the veterinarian receives no financial benefit from the suspected animal cruelty case, beyond payment for services rendered prior to making a report of suspected animal cruelty.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Votes on Final Passage:

Senate	49	0	
House	93	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 28, 2013.